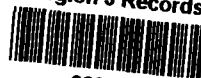


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September 24, 2001

BY FACSIMILE AND FIRST CLASS MAIL

Mary L. Fulghum
Associate Regional Counsel
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3590

Re: DuSable Park

Dear Mary:

Thank you for your letter of August 31, 2001, (received in this office on September 10, 2001) regarding DuSable Park. We regret that there was confusion about the prior sampling that Kerr-McGee conducted at this site. Kerr-McGee advises me that this work was done in a manner consistent with soil characterization for surface anomalies conducted by EPA at other sites. We do not believe that EPA has established an adequate predicate to invoke Section Vg.3. of the July 6, 1996 Administrative Order as suggested in your letter. Indeed, Kerr-McGee believes that monitoring during any future landscaping activity, as suggested in our letter of July 11, 2001, will adequately protect against any radiation risks in the event there is any Lindsay Light material at DuSable Park.

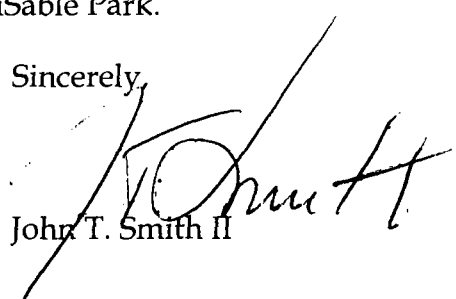
Nonetheless, Kerr-McGee, in an effort to put this matter to rest, will conduct the limited, further investigation as demanded in your letter. Specifically, we will submit a work plan to investigate the three "anomalies" that EPA represents it has identified. We will attempt to submit an appropriate work plan by October 8th.

COVINGTON & BURLING

Mary L. Fulghum
September 24, 2001
Page 2 of 3

We note that you have copied counsel for River East, the successor to Canal Dock and Trust, on your letter. We trust EPA will keep in mind not only that River East is a respondent to the Administrative Order but also that, until recently, it was the owner of DuSable Park.

Sincerely,



John T. Smith II

cc: Vince Oleszkiewicz